

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
McALLEN DIVISION**

**In re: BECKY ROSALES**

§  
§

**Case No. 15-70019  
(Chapter 13)**

**MOTION FOR RELIEF FROM THE STAY AND CO-DEBTOR STAY, REGARDING EXEMPT  
PROPERTY**

**THIS IS A MOTION FOR RELIEF FROM THE AUTOMATIC STAY. IF YOU OBJECT TO THE GRANTING OF RELIEF FROM THE AUTOMATIC STAY, YOU SHOULD CONTACT THE MOVANT IMMEDIATELY TO TRY TO REACH AN AGREEMENT. IF YOU CANNOT REACH AN AGREEMENT, YOU MUST FILE A WRITTEN RESPONSE AND SEND A COPY TO MOVANT NOT LATER THAN 20 DAYS BEFORE THE HEARING AND YOU MUST ATTEND THE HEARING.**

**THE COPY SENT TO THE MOVANT MUST BE DELIVERED BY HAND OR ELECTRONIC DELIVERY IF IT IS SENT LESS THAN SEVEN DAYS PRIOR TO THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE HEARING MAY BE AN EVIDENTIARY HEARING AND THE COURT MAY GRANT OR DENY RELIEF FROM THE STAY BASED ON THE EVIDENCE PRESENTED AT THIS HEARING. IF A TIMELY OBJECTION IS FILED, THE COURT WILL CONDUCT A HEARING ON THIS MOTION ON JUNE 3, 2015, AT 9:00 A.M. IN COURTROOM, 600 EAST HARRISON, 3ED FLOOR, BROWNSVILLE, TEXAS 78520.**

1. This motion requests an order from the Bankruptcy Court authorizing the person filing this motion to foreclose on or to repossess the property that is identified in paragraph 3.
2. Movant: BANK OF SOUTH TEXAS
3. Movant, directly or as agent for the holder, holds a security interest in:

Lot 60, SENDERO RANCH ESTATES SUBDIVISION, an Addition to the City of McAllen, Hidalgo County, Texas, according to map thereof recorded in Volume 50, Page 121, Map Records of Hidalgo County, Texas; also known as 5203 N. 44<sup>th</sup> Ln., McAllen, Texas.
4. Movant has reviewed the schedules filed in this case. The property described in paragraph 3 is claimed as exempt by the debtor. Movant does not contest the claimed exemption.
5. Type of collateral: Home
6. Debtor's scheduled value of property: \$248,266.00.
7. Movant's estimated value of property: \$230,000.00.
8. Total amount owed to movant: \$194,567.61.
9. Estimated equity (paragraph 7 minus paragraph 8): \$35,432.39.
10. Total pre and post-petition arrearages: \$10,652.55.
11. Total post-petition arrearages: \$4,650.18.
12. Amount of unpaid, past due property taxes, if applicable: \$7,305.52.
13. Expiration date on insurance policy: January 28, 2016.
14. x Movant seeks relief based on the debtor(s)' failure to make payments and a Motion to Dismiss. The chapter 13 trustee's payment history in this case is attached as exhibit "A." Any party in interest may move to require the Movant to provide a complete payment history. If ordered by the Court, the complete payment history must be provided not less than 7 days prior to the final hearing on the motion for relief from the stay. Movant may

include a complete payment history with its original motion. If a payment history is ordered, it must be provided in a format substantially similar to the format required by BLR 3001-1. Movant acknowledges that the Court may prohibit the use of parol evidence to interpret a payment history that does not satisfy these representations.

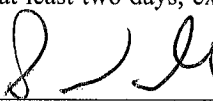
15. \_\_\_\_\_. Movant seeks relief based on the debtor(s)' failure to provide a certificate of insurance reflecting insurance coverage as required under the debtor's pre-petition contracts.

16. If applicable: Name of Co-Debtor: Adrian Rosales.

17. Based on the foregoing, movant seeks termination of the automatic stay and the co-debtor stay, to allow movant to foreclose or repossess the debtor(s)' property and seeks to recover its costs and attorneys' fees in an amount not to exceed the amount listed in paragraph 9.

18. Movant certifies that prior to filing this motion an attempt was made to confer with the Debtor(s)' counsel either by telephone, by e-mail or by facsimile, by the following person on the following date and time: Scott A. Walsh April 24, 2015. An agreement could not be reached. If requested by debtor or debtor's counsel, a payment history in the form attached to this motion was provided at least two days, excluding intermediate weekends and holidays) before this motion was filed.

Date: 5-8-15

By:   
\_\_\_\_\_  
Scott A. Walsh  
State Bar No. 20804750  
Fed. Id. No. 14256  
ATTORNEYS FOR LONE STAR NATIONAL BANK

OF COUNSEL:  
KITTLEMAN THOMAS, PLLC  
P. O. Box 1416  
McAllen, Texas 78502-1416  
Telephone: (956) 632-5013  
Telecopier: (956) 630-5199  
[swalsh@ktattorneys.com](mailto:swalsh@ktattorneys.com)

**Certificate of Service and Certificate of Compliance with BLR 4001**

A copy of this motion was served on the persons shown below at the addresses reflected on that exhibit on May 8, 2015. Movant certifies that movant has complied with Bankruptcy Local Rule 4001.

Bank of South Texas  
C/o Scott Walsh  
4900-B N. 10th Street  
McAllen, tx 78504-2781

Lack's Valley Stores, Ltd.  
Law Office of Jeanne E. Holmes, P.C.  
212 W. Nolana Loop  
McAllen, TX 78504-2513

Lone Star National Bank  
c/o Terry D. Key  
2300 W. Pike Blvd., Suite 300  
Weslaco, TX 78596-4128

McAllen ISD  
c/o John T. Banks  
3301 Northland Drive, Ste. 505

Austin, TX 78731-4954

Ovation Services  
c/o Lane & Countryman  
Attorneys at Law  
8526 N. New Braunfels  
San Antonio, TX 78217-6304

7  
United States Bankruptcy Court  
1133 North Shoreline Blvd #208  
Corpus Christi, TX 78401-2042

American Eagle GECRB  
GE Capital Retail bank/ Attention: Bankru  
PO Box 103104  
Roswell, GA 30076-9104

Bank of South Texas  
506 E. Dove  
McAllen, TX 78504-2241

Bby/cbna  
701 East 60th Street  
Sioux Falls, SD 57104-0432

Cap1/bstby  
PO Box 6497  
Sioux Falls, SD 57117-6497

Capital One, N.a.  
Capital One Bank (USA) N.A.  
PO Box 30285  
Salt Lake City, UT 84130-0285

Cavalry SPV I, LLC  
500 Summit Lake Drive, Ste 400  
Valhalla, NY 10595-1340

Citibank/The Home Depot  
Citicorp Credit Svcs/Centralized Bankrup  
PO Box 790040  
Saint Louis, MO 63179-0040

City of McAllen  
c/o Diane W. Sanders  
Linebarger Goggan Blair & Sampson, LLP  
P.O. Box 17428  
Austin, TX 78760-7428

Comenity Bank/vctrsec  
Po Box 182789  
Columbus, OH 43218-2789

Conn Appliances, Inc. as Attorney-in-Fact an  
P.O BOx 2358  
Beaumont, Texas 77704-2358

Conns Credit Corp  
3295 College St  
Beaumont, TX 77701-4611

GEARB / HH Gregg  
Attention: Bankruptcy  
PO Box 103104  
Roswell, GA 30076-9104

GEARB/Gap  
Attn: bankruptcy  
PO Box 103104

Roswell, GA 30076-9104

Hidalgo County  
c/o Diane W. Sanders  
Linebarger Goggan Blair & Sampson, LLP  
P.O. Box 17428  
Austin, TX 78760-7428

INTERNAL REVENUE SERVICE  
P O Box 7346  
Philadelphia PA 19101-7346

IRS  
PO Box 7346  
Philadelphia, PA 19101-7346

Lacks Valley Stores Lt  
1200 E. Expresssaway 83  
McAllen, TX 78503-1618

Lacks Valley Stores, Ltd.  
c/o Credit Department  
1300 San Patricia Drive  
Pharr, Texas 78577-2158

Law Offices of Rick Guerra  
2211 Rayford Rd Ste. 111 #134  
Spring, Tx 77386-1548

Lone Star National Bank  
4500 N. 10th St., Suite 305  
McAllen, TX 78504-2969

Lone Star Nb  
100 W. Ferguson  
Pharr, TX 78577-9517

McAllen ISD  
c/o John T. Banks  
Perdue, Brandon, Fielder, Collins & Mott  
3301 Northland Drive, Ste. 505  
Austin, TX 78731-4954

Ovation Services  
c/o Lane & Countryman  
Attorneys at Law  
8526 N. New Braunfels  
San Antonio, Texas 78217-6304

Quantum3 Group LLC as agent for  
Comenity Bank  
PO Box 788

Kirkland, WA 98083-0788

Security Fin  
C/o Security Finan  
Spartanburg, SC 29304

US Trustee  
606 N Carancahua  
Corpus Christi, TX 78401-0680

United ID  
c/o Diane W. Sanders  
Linebarger Goggan Blair & Sampson, LLP  
P.O. Box 17428  
Austin, TX 78760-7428

Vantagebktx  
45 Ne Loop 410  
San Antonio, TX 78216-5832

West Asset Management  
7171 Mercy Rd  
Omaha, NE 68106-2620

World Finance Corp

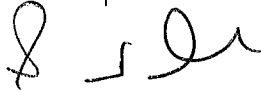
World Acceptance Corp/ Attn Bankruptcy  
PO Box 6429  
Greenville, SC 29606-6429

World Finance Corporation  
501 South Bicentennial,  
Suite A  
McAllen, TX 78501-5290

Becky Rosales  
5302 N. 44th Lane  
McAllen, TX 78504-4871

Cindy Boudloche  
Chapter 13 Trustee  
555 N Carancahua  
Ste 600  
Corpus Christi, TX 78401-0823

Ricardo Guerra  
Law Office of Rick Guerra  
2211 Rayford Rd.  
Ste 111 #134  
Spring, TX 77386-1548



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Scott A. Walsh